

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC.,

Plaintiff,

v.

HEALTHY SOLUTIONS, LLC, ET. AL.,

Defendants.

CAPPSEALS, INC.,

Plaintiff-in-
Intervention

v.

HEALTHY SOLUTIONS, LLC., D/B/A
DIRECT BUSINESS CONCEPTS; ITV
DIRECT, INC. AND DIRECT
FULFILLMENT, LLC.

Intervenor-
Defendants.

C. A. No. 04-CV10421-JLT
(DEIN, J)

**CAPPSEALS, INC.'S REPLY TO THE ITV PARTIES'
OPPOSITION TO CAPPSEALS' MOTION FOR SANCTIONS
UNDER 28 U.S.C. § 1927 AND THE INHERENT POWERS OF THE COURT**

EXHIBIT 5, PART 7

CONFIDENTIAL

SEYFARTH
ATTORNEYS **SHAW** LLP

55 EAST MONROE STREET - SUITE 4200
CHICAGO, ILLINOIS 60603-5803
AREA CODE (312) 346-8000
FEDERAL ID 36-2152202

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WASHINGTON, D.C.
BRUSSELS

March 2006

Invoice No. 1214143
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$13,132.00
Total Disbursements	<u>161.88</u>
Total Fees and Disbursements This Statement	<u>\$13,293.88</u>

ACCOUNTS RECEIVABLE SUMMARY

A review of our records reflects the following invoice(s) remain unpaid. Please remit payment promptly.

<u>Date</u>	<u>Invoice</u>	<u>Invoice Amount</u>	<u>Payment Received</u>	<u>Balance</u>
02/09/06	1206739	\$20,677.85	\$.00	\$20,677.85

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-346-8000, ext. 3309.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000821

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SEYFARTH
ATTORNEYS **SHAW** LLP

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April 2006

Invoice No. 1224667
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

For legal services rendered through the month of March 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
03/07/06	S. Gelwick	0.20	Telephone conference with Judge Tauro's clerk regarding surreply and exhibits.
03/20/06	O. Golinder	0.90	Attention to file management.
03/22/06	O. Golinder	3.10	Update file.
Total Hours		4.20	
Total Fees			752.00

Disbursements

Online Research	224.42
Copying	18.80
Facsimile	9.00
Total Disbursements	<u>\$ 252.22</u>
Total This Statement	<u>\$1,004.22</u>

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

ITV 000822

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SEYFARTH
ATTORNEYS **SHAW** LLP

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April 2006

Invoice No. 1224667
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$ 752.00
Total Disbursements	<u>252.22</u>
Total Fees and Disbursements This Statement	<u>\$1,004.22</u>

ACCOUNTS RECEIVABLE SUMMARY

A review of our records reflects the following invoice(s) remain unpaid. Please remit payment promptly.

<u>Date</u>	<u>Invoice</u>	<u>Invoice Amount</u>	<u>Payment Received</u>	<u>Balance</u>
03/08/06	1214143	\$13,293.88	\$.00	\$13,293.88

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-346-8000, ext. 3309.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000823

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SEYFARTH
ATTORNEYS **SHAW** LLP

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May 2006

Invoice No. 1234003
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

For legal services rendered through the month of April 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
04/10/06	C. Robertson	0.40	Review Tauro orders regarding discovery and discovery conference; meet with S. Gelwick regarding ; call with M. Sciucco regarding
04/10/06	O. Golinder	0.20	Obtain and distribute copies of discovery order and notice to appear; docket same.
04/10/06	S. Gelwick	0.90	Review orders of Judge Tauro; review local rules on discovery conference and automatic disclosures; review prior document response to Cappsels.
04/14/06	C. Robertson	0.70	Call with S. Silverman regarding review of court orders and required discovery prior to hearing and status conference; review court orders and meet and confer requirements; meet with S. Gelwick regarding
04/14/06	S. Gelwick	0.80	Review court's order; conference with C. Robertson regarding ; review Rule 26 response provided in prior litigation with Cappsels; begin drafting Local Rule 26.1 statement to serve on Cappsels.
04/17/06	S. Gelwick	0.70	Review last document production to Cappsels in new action in order to determine documents to produce under Rule 26.

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

ITV 000824

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SEYFARTH

ATTORNEYS **SHAW** LLP

Direct Marketing Concepts, Inc.

Invoice No. 1234003
1843 / 35965
Page 2

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
04/18/06	C. Robertson	1.30	Review Court of Appeals decision regarding Cappseals/ITV case; calls with R. Maihos, W. Callahan, M. Sciucco, and P. Brooks regarding review pleadings in DMC alter/ego case;
04/18/06	S. Gelwick	0.40	Review of First Circuit decision on appeal of Cappseals' judgment; conference with P. Alley regarding
04/19/06	C. Robertson	1.10	Review and draft Rule 26 disclosures in conformity with J. Tauro orders on discovery; meet with S. Gelwick regarding ; review documents previously provided to Cappseals; call with W. Callahan regarding
04/20/06	O. Golinder	0.90	Review initial disclosures and rule 26 affidavit; review cover letter; serve same; attention to file.
04/20/06	S. Gelwick	1.40	Conference with C. Robertson regarding ; review correspondence to Silverman regarding Rule 26 conference; review emails to W. Callahan, prior document production to Cappseals and correspondence in order to determine documents yet to be produced by client.
04/25/06	O. Golinder	0.90	Attention to file management.
04/27/06	C. Robertson	1.20	Conference call with S. Silverman regarding joint case management report; review proposed joint statement and discovery schedule; draft and file Rule 16.1 certification; conference with P. Brooks regarding call with M. Sciucco; call with W. Callahan; review Tauro orders regarding discovery and status conference.
04/27/06	O. Golinder	0.30	Review and revise certification of consultation; file same.
04/28/06	O. Golinder	0.80	Review production of documents.
Total Hours		12.00	
Total Fees			3,872.00

Disbursements

Copying	34.40
Facsimile	9.00
Meals - AMERICAN EXPRESS 2/7/06-3/06.	6.00

Total Disbursements \$ 49.40

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SEYFARTH
ATTORNEYS **SHAW** LLP

Direct Marketing Concepts, Inc.

Invoice No. 1234003
1843 / 35965
Page 3

Total This Statement

\$3,921.40

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May 2006

Invoice No. 1234003
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$3,872.00
Total Disbursements	<u>49.40</u>
Total Fees and Disbursements This Statement	<u>\$3,921.40</u>

ACCOUNTS RECEIVABLE SUMMARY

A review of our records reflects the following invoice(s) remain unpaid. Please remit payment promptly.

<i>Date</i>	<i>Invoice</i>	<i>Invoice Amount</i>	<i>Payment Received</i>	<i>Balance</i>
03/08/06	1214143	\$13,293.88	\$.00	\$13,293.88
04/11/06	1224667	\$1,004.22	\$.00	\$1,004.22

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-346-8000, ext. 3309.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000827

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June 2006

Invoice No. 1244484
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention: .

For legal services rendered through the month of May 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
05/01/06	O. Golinder	4.70	Update pleadings; review summary judgment documents;
05/01/06	P. Brooks	7.50	Review summary judgment record and case law; prepare for summary judgment argument
05/02/06	C. Robertson	0.70	Meet with P. Brooks regarding ; review brief and reply brief on motion; meet with P. Alley regarding meet with P. Brooks regarding
05/02/06	O. Golinder	0.50	Preparation for scheduling conference and summary judgment hearing.
05/02/06	P. Brooks	4.50	Prepare for and attend summary judgment hearing. Email Mike regarding
05/02/06	S. Gelwick	1.00	Review client's prior document production and Rule 26 disclosures and Cappseals' motion and opposition to Cappseals' motion for partial summary judgment in preparation for status conference.
05/03/06	O. Golinder	0.40	Obtain and copy of the order; attention to file.

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

ITV 000828

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SEYFARTH

ATTORNEYS **SHAW** LLP

Direct Marketing Concepts, Inc.

Invoice No. 1244484
1843 / 35965
Page 2

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
05/03/06	S. Gelwick	1.20	Review email from P. Brooks regarding conference with C. Robertson regarding ; review electronic notices from the court and First Circuit's decision; review Cappseals' motion to amend the complaint and Cappseals' amended complaint.
05/04/06	S. Gelwick	1.40	Review electronic notices from the court; research MA case law regarding
05/09/06	O. Golinder	6.80	Update files including appeals, cappseals v. dmc, and itv v. healthy solutions files.
05/10/06	S. Gelwick	0.40	Review order of Judge Tauro regarding schedule on filing of briefs; review Cappseals' proposed amended complaint and brief in support of motion for summary judgment.
05/12/06	C. Robertson	0.40	Meetings with S. Gelwick and P. Alley regarding
05/12/06	S. Gelwick	0.50	Review Cappseals' motion to amend and case law cited therein.
05/15/06	C. Robertson	0.80	Review and annotate opposition to motion to amend filed by Cappseals; meet with S. Gelwick regarding review
05/15/06	O. Golinder	0.40	Review and revise opposition to motion to amend; shepardize cases; electronically file same.
05/15/06	P. Alley	1.50	Attention to ; review materials; conference with S. Gelwick; provide case law ; review draft opposition.
05/15/06	S. Gelwick	4.30	Conduct research and drafting of opposition to Cappseals' motion to amend; conference with C. Robertson and P. Alley regarding prepare opposition for filing; review court's schedule for summary judgment briefs.
05/23/06	O. Golinder	0.30	Obtain and review proposed order by Cappseals; distribute same.
05/23/06	S. Gelwick	1.50	Review Cappseals' proposed memorandum of law granting motion for summary judgment and cases cited therein; review Judge Tauro's order regarding same; review Cappseals complaint in order to draft opposition.
05/24/06	S. Gelwick	5.20	Review Cappseals' motion for summary judgment, DMC's opposition to Cappseals' motion, and parties' reply and surreply; review of relevant case law, begin drafting proposed order and memorandum of law for Judge Tauro.

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SEYFARTH
ATTORNEYS **SHAW** LLP

Invoice No. 1244484
1843 / 35965
Page 3

Direct Marketing Concepts, Inc.

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
05/25/06	C. Robertson	0.30	Meet with S. Gelwick regarding ; call with M. Sciucco regarding
05/25/06	S. Gelwick	0.60	Review affidavits and statement of disputed facts filed in support of DMC's opposition to Cappseals' motion for summary judgment; conference with C. Robertson regarding
05/26/06	S. Gelwick	0.80	Further research of First Circuit case law on :
05/29/06	S. Gelwick	2.00	Further research and review of federal case law in order to prepare draft decision and memorandum of law on Cappseals' motion for summary judgment; drafting of draft decision.

Total Hours 47.70

Total Fees 15,686.50

Disbursements

Copying 50.80

Total Disbursements \$ 50.80

Total This Statement \$15,737.30

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SEYFARTH
ATTORNEYS **SHAW** LLP

55 EAST MONROE STREET - SUITE 4200
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June 2006

Invoice No. 1244484
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$15,686.50
Total Disbursements	<u>50.80</u>
Total Fees and Disbursements This Statement	<u>\$15,737.30</u>

ACCOUNTS RECEIVABLE SUMMARY

A review of our records reflects the following invoice(s) remain unpaid. Please remit payment promptly.

<i>Date</i>	<i>Invoice</i>	<i>Invoice Amount</i>	<i>Payment Received</i>	<i>Balance</i>
04/11/06	1224667	\$1,004.22	\$.00	\$1,004.22
05/11/06	1234003	\$3,921.40	\$.00	\$3,921.40

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-346-8000, ext. 3309.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000831



55 EAST MONROE STREET - SUITE 4200
CHICAGO, ILLINOIS 60603-5803
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July 2006

Invoice No. 1256587
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

For legal services rendered through the month of June 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
06/01/06	S. Gelwick	2.60	Further drafting of draft order and memorandum of decision denying Cappseals' motion for summary judgment.
06/02/06	S. Gelwick	0.50	Review court's order; review court's prior decision granting summary judgment to Cappseals in order to oppose Cappseals' proposed order granting summary judgment in new action.
06/05/06	P. Brooks	1.50	Review and outline response to proposed findings
06/05/06	S. Gelwick	2.50	Review affidavits filed in opposition to Cappseals' motion for summary judgment for proposed order; review statement of disputed material facts and exhibits thereto in order to prepare proposed memorandum of law and order for Judge Tauro.
06/07/06	S. Gelwick	1.40	Review Cappseals' proposed order on summary judgment and portions of the record cited therein; review evidence to dispute Cappseals' alter ego claim.
06/08/06	O. Golinder	0.30	Obtain copies of the documents for S. Gelwick.
06/09/06	S. Gelwick	3.60	Further drafting of memorandum of law on Cappseals' motion for summary judgment; conference with P. Alley regarding ; review case law cited by Cappseals' in motion.
06/12/06	P. Brooks	0.70	Work on response to Cappseals submission

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

ITV 000832

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SEYFARTH
ATTORNEYS **SHAW** LLP

Invoice No. 1256587
1843 / 35965
Page 2

Direct Marketing Concepts, Inc.

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
06/12/06	S. Gelwick	3.80	Review of case law and prior summary judgment pleadings; further drafting of memorandum and decision on Cappseals' motion for summary judgment; conference with P. Alley regarding
06/13/06	P. Alley	0.30	Review draft order.
06/13/06	P. Brooks	0.60	Review and revise proposed memorandum
06/13/06	S. Gelwick	4.80	Complete drafting and revising of draft order and decision on Cappseals' motion for summary judgment; add citations to record submitted in support of opposition to summary judgment; shepardize cases and prepare for filing.
06/15/06	S. Gelwick	0.20	Telephone conference with Judge Tauro's clerk regarding proposed orders on Cappseals' motion for summary judgment.
06/19/06	S. Gelwick	0.60	Telephone conference with M. Sciucco; review preliminary injunction entered in Cappseals/Healthy Solutions case; review docket in Cappseals' second action and draft order on summary judgment.

Total Hours 23.40

Total Fees 8,588.50

Disbursements

Online Research	3.70
Copying	4.20

Total Disbursements \$ 7.90

Total This Statement \$8,596.40

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SEYFARTH
ATTORNEYS **SHAW** LLP

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July 2006

Invoice No. 1256587
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$8,588.50
Total Disbursements	<u>7.90</u>
Total Fees and Disbursements This Statement	<u>\$8,596.40</u>

ACCOUNTS RECEIVABLE SUMMARY

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<i>Date</i>	<i>Invoice</i>	<i>Invoice Amount</i>	<i>Payment Received</i>	<i>Balance</i>
06/15/06	1244484	\$15,737.30	\$.00	\$15,737.30

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-346-8000, ext. 3309.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000834

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SAN FRANCISCO
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BRUSSELS

August 2006

Invoice No. 1263260
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

For legal services rendered through the month of July 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
07/05/06	O. Golinder	0.30	Conference with S. Gelwick regarding : review emails for a list of outstanding documents.
07/05/06	S. Gelwick	0.80	Review correspondence from S. Silverman regarding review prior emails exchanged with W. Callahan regarding ; telephone conference with W. Callahan and C. Robertson; review prior document production by DMC to Cappseals.
07/21/06	C. Robertson	0.80	Call with S. Silverman regarding production of additional documents and settlement; call with W. Callahan regarding review prior correspondence regarding production of documents and additional requests; call with M. Sciucco.
07/21/06	S. Gelwick	0.80	Review email from C. Robertson to W. Callahan regarding review request for documents from S. Silverman and last production of documents to Cappseals.
07/25/06	C. Robertson	0.20	Call with counsel regarding production of financial information and possible settlement of case.
07/26/06	C. Robertson	0.30	Call with W. Callahan regarding ; review correspondence regarding request for additional documents; call with counsel.

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
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ITV 000835

SEYFARTH
ATTORNEYS **SHAW** LLP

Direct Marketing Concepts, Inc.

Invoice No. 1263260

1843 / 35965

Page 2

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
07/27/06	S. Gelwick	0.80	Conference with C. Robertson regarding review prior correspondence from S. Silverman seeking specific categories of documents from ITV and our response; review initial document request served on ITV and on DMC.
07/28/06	S. Gelwick	1.20	Review correspondence from S. Silverman regarding financial documents; review email and attachments from W. Callahan; ; telephone call to S. Silverman; preparation of list of categories of documents to be produced to Cappseals.

Total Hours 5.20**Total Fees** 1,854.00**Disbursements**

Copying	7.20
Long Distance Telephone	.30
Online Research - PACER SERVICE CENTER	1.28

Total Disbursements \$ 8.78

Total This Statement \$1,862.78

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SEYFARTH
ATTORNEYS **SHAW** LLP

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BRUSSELS

August 2006

Invoice No. 1263260
1843 35965 / 35965-000006

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

INVOICE SUMMARY

Total Fees	\$1,854.00
Total Disbursements	<u>8.78</u>
Total Fees and Disbursements This Statement	<u>\$1,862.78</u>

ACCOUNTS RECEIVABLE SUMMARY

A review of our records reflects the following invoice(s) remain unpaid. Please remit payment promptly.

<u>Date</u>	<u>Invoice</u>	<u>Invoice Amount</u>	<u>Payment Received</u>	<u>Balance</u>
07/21/06	1256587	\$8,596.40	\$.00	\$8,596.40

If you have any questions with regard to the amount as stated, please contact Kathy Hobbs in our Finance Department at 312-460-6046.

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

PAYMENT MAY BE MADE BY WIRE TO: BANK ONE
ACCOUNT NUMBER: 4036166
ABA NUMBER: 071000013

ITV 000837

SEYFARTH
ATTORNEYS **SHAW** LLP

131 SOUTH DEARBORN STREET - SUITE 2400
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September 2006

Invoice No. 1275371
1843 35965 / 35965-000006
C3

Direct Marketing Concepts, Inc.
55 Cherry Hill Drive
Beverly, MA 01915
Attention:

For legal services rendered through the month of August 2006

Supreme Greens Litigation

<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
08/01/06	S. Gelwick	0.90	Review email and ledger prepared by W. Callahan; review prior emails to W. Callahan regarding conference with C. Robertson and M. Sciucco regarding
08/02/06	S. Gelwick	0.20	Telephone conference with S. Silverman regarding outstanding documents owed to Cappseals.
08/03/06	C. Robertson	1.60	Review and annotate Cappseals motion for hearing on collection of judgment; review exhibits to motion; call with M. Sciucco regarding ; review emails from P. Brooks regarding call with S. Gelwick regarding ; call with W. Callahan regarding (
08/03/06	S. Gelwick	1.80	Conference with C. Robertson and W. Callahan regarding ; exchange emails with S. Silverman regarding document production and Cappseals' application for supplementary process; conference with C. Robertson regarding ; review bank statements and ledgers previously produced by DMC

BILLS ARE DUE AND PAYABLE UPON RECEIPT
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

ITV 000838

SEYFARTH
ATTORNEYS **SHAW** LLP

Direct Marketing Concepts, Inc.

Invoice No. 1275371
1843 / 35965
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<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
08/04/06	S. Gelwick	2.50	Telephone conference with S. Silverman regarding review of Cappseals' application for supplementary process; review MA rules and statute regarding supplementary process; research MA case law regarding
08/07/06	C. Robertson	1.10	Call with M. Sciucco regarding ; review cases and brief regarding motion for evidentiary hearing on assets; review
08/07/06	S. Gelwick	1.20	Conference with C. Robertson regarding ; review April 2004 letter of S. Silver and documents produced as part of automatic disclosure; telephone conference with S. Silverman regarding same.
08/09/06	S. Gelwick	0.80	Conference with C. Robertson and client regarding ; review emails from S. Silverman; review rule regarding initial disclosures.
08/10/06	C. Robertson	1.80	Meet with W. Callahan, R. Maihos and W. Callahan ; review
			; review motion for testimony on assets prior to meeting; meet with S. Gelwick regarding ; review correspondence regarding
08/10/06	S. Gelwick	2.20	Review of prior document request by Cappseals; review ITV's balance sheet and profit and loss statement; conduct research regarding
08/11/06	C. Robertson	0.40	Calls with S. Gelwick and W. Callahan regarding ; call with M. Sciucco regarding
08/11/06	S. Gelwick	0.80	Conferences with C. Robertson and client regarding ; telephone conference with S. Silverman regarding same; review prior correspondence to S. Silverman.
08/12/06	S. Gelwick	3.20	Review documents received from W. Callahan; load documents onto Summation program in order to organize for production.
08/14/06	C. Robertson	0.80	Meet with S. Gelwick regarding ; review documents produced by DMC for production to Cappseals.

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<u>Date</u>	<u>Attorney/Paralegal</u>	<u>Hours</u>	<u>Description</u>
08/14/06	S. Gelwick	4.70	Review documents received from client for responsive and privileged documents; review prior emails to W. Callahan regarding ; preparation of documents for production to Cappseals and correspondence to S. Silverman; telephone conference with S. Silverman.
08/15/06	C. Robertson	0.80	Meet with S. Gelwick regarding review cases regarding review bank information regarding production to Cappseals; call with M. Sciucco regarding
08/15/06	S. Gelwick	3.20	Review and prepare supplemental document production to Cappseals; preparation of correspondence to S. Silverman; conference with C. Robertson regarding
08/15/06	T. McGrath	0.80	Telephone conference with Russ at War Room regarding copying of documents; prepare documents for copying; conference with S. Gelwick regarding
08/16/06	S. Gelwick	4.80	Review supplemental financial documents received from W. Callahan for production; review 10/2005 deposition of W. Callahan for opposition to Cappseals' motion for supplementary process hearing; conduct research of federal case law regarding ; drafting of opposition to Cappseals' motion.
08/17/06	C. Robertson	0.80	Review and edit opposition to motion for supplementary process hearing; meet with S. Gelwick regarding ; call with M. Sciucco regarding
08/17/06	S. Gelwick	6.50	Review supplemental financial documents of ITV and DMC to produce to Cappseals; prepare responsive documents for production; further drafting and filing of opposition to Cappseals' motion for supplementary process hearing; conference with C. Robertson regarding
08/17/06	T. McGrath	0.40	Telephone conference with Russ at War Room regarding copying of additional documents; prepare documents for copying.
08/18/06	C. Robertson	0.30	Meet with S. Gelwick regarding
08/18/06	S. Gelwick	1.50	Review DMC's 2003 and 2004 account statements ; prepare documents for service on Cappseals; review court's order regarding production of financial documents of DMC.

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